

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CLUB TEXTING, INC., on behalf of itself and all
others similarly situated,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a/ VERIZON
WIRELESS, AT&T MOBILITY LLC, SPRINT
NEXTEL CORPORATION, T-MOBILE USA,
INC., U.S. CELLULAR CORPORATION, CTIA –
THE WIRELESS ASSOCIATION, CLEARSKY
MOBILE MEDIA, INC., ERICSSON IPX, MBLOX
INCORPORATED, SYBASE, INC., SOUNDBITE
COMMUNICATIONS, INC., SYNIVERSE
TECHNOLOGIES, INC., UPOC NETWORKS,
INC., VIBES MEDIA, 3CINTERACTIVE, L.L.C.,
and WMC GLOBAL, INC.,

Defendants.

Case No. 12 CV 2656 (AJN)(MHD)

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF DEFENDANT
CLEARSKY MOBILE MEDIA, INC. N/K/A CLEARSKY TECHNOLOGIES, INC.**

Plaintiff Club Texting, Inc., pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, hereby gives notice of the dismissal without prejudice of defendant ClearSky Mobile Media, Inc., n/k/a ClearSky Technologies, Inc. from the above-captioned action, the parties to bear their own fees and costs.

Dated: May 29, 2012

Respectfully submitted,

KAPLAN FOX & KILSHEIMER LLP

By: Gregory K. Arenson

Robert N. Kaplan

Richard J. Kilsheimer

Gregory K. Arenson

Elana Katcher

850 Third Avenue

14th Floor

New York, NY 10022

Telephone: (212) 687-1980

Facsimile: (212) 687-7714

Emails: rkaplan@kaplanfox.com

garenson@kaplanfox.com

rkilsheimer@kaplanfox.com

ekatcher@kaplanfox.com

Counsel for Plaintiff Club Texting, Inc.

CERTIFICATE OF SERVICE

I, Elana Katcher, declare that, on May 29, 2012, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal Without Prejudice of Defendant Clearsky Mobile Media, Inc. n/k/a Clearsky Technologies, Inc. to be delivered to all counsel of record via the Court's ECF system.

/s/ Elana Katcher

Elana Katcher